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August 29, 2024

**VIA ECF**

The Honorable Ona T. Wang  
Magistrate Judge  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl St.  
New York, NY 10007-1312

Re: *Gismundi, et al., v. The City of New York*, Case No. 1:23-cv-06145

Dear Judge Wang,

I represent the Plaintiffs in the above captioned matter, and I write on behalf of both Parties pursuant to the Court's July 12, 2024, Order requesting that the Parties provide a joint status letter on the last business Friday of every month until the close of discovery. (Dkt. 49).

Following the July 11, 2024, Initial Case Management Conference in this matter, the Parties have met and conferred further on the possibility of settlement. To that end, on August 13, 2024, the Parties submitted a joint letter to the Court seeking a settlement conference before Your Honor on either the morning of October 1st, or any time on October 8th or 9th. (Dkt. 54).

Consistent with the Parties' Joint Stipulation as to Phase One Discovery (Dkt. 48), Defendants produced two FRCP 30(b)(6) corporate designees on the topic of the documents and computer programs that Defendant uses to record information regarding Plaintiffs' work. Two additional witnesses on that topic will be produced for deposition on September 4<sup>th</sup>.

Furthermore, on August 12, 2024, Plaintiffs served their first sets of Interrogatories and Requests for Production of Documents on Defendant, and, on August 19, 2024, Defendant submitted its first sets of Interrogatories and Requests for Production of Documents on Plaintiffs.

The Parties are also working to select Phase I Plaintiffs consistent with the Joint Stipulation as to Phase One Discovery. The Parties remain available the morning of October 1st, or any time on October 8th or 9<sup>th</sup> for a settlement conference.

Respectfully submitted,

McGILLIVARY STEELE ELKIN LLP

/s/ Gregory K. McGillivary  
Gregory K. McGillivary

cc: All Counsel of Record